

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

IN RE:

CASE NO.: 23-40352-MXM -13

ALFREDO VARGAS

5404 IRA ST
HALTOM CITY, TX 76117
SSN/TIN: XXX-XX-2403

DEBTOR

HEARING: MAY 18, 2023 AT 8:30 AM

TRUSTEE'S OBJECTION TO CONFIRMATION

TO THE HONORABLE U.S. BANKRUPTCY JUDGE:

NOW COMES Pam Bassel Standing Chapter 13 Trustee and files this Trustee's Objection to Confirmation. Trustee would respectfully show the Court:

The Plan fails to meet the disposable income test of 11 U.S.C. Section 1325 (b) (1) (B) because the Plan does not propose to pay all of the Debtor's disposable income for the applicable commitment period to the Debtor's unsecured creditors.

The Plan provides for an unsecured creditors' pool ("UCP") of \$0.00. The Trustee has calculated a UCP of \$46,267.28 based on a monthly disposable income of \$1,285.20 over a 36 month applicable commitment period, with the following add-backs, if any:

SCH I LINE 4 GROSS INCOME UNDERSTATED BASED ON PAYSTUBS	1250.00
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The Plan does not meet the requirements of the best interests of creditors test of 11 U.S.C. Section 1325(a)(4). Debtor has equity in non-exempt property as follows:

CASH \$8.00
CHECKING ACCT \$31.78
SAVINGS ACCT \$1200.83
UNDISCLOSED PI LAWSUIT - VALUE UNKNOWN

The total equity in non-exempt property is unknown but the Plan provides for equity in non-exempt property of only \$1,240.61.

The Plan may not meet the requirements of the best interests of creditors test of 11 U.S.C. Section 1325(a)(4). Debtor may have non-exempt property with a value which has not yet been determined or disclosed.

The Debtor's Attorney's Fees exceed the court's guidelines for a "no-look" fee.

The Plan violates the conduit provisions of the General Order. The Debtor is sufficiently delinquent to a Mortgage Lender and are required to file a Plan to make an appropriate number of ongoing monthly mortgage payments and cure mortgage arrearages through the Conduit Program.

WHEREFORE, Trustee prays that confirmation be DENIED and for general relief.

Respectfully submitted,
By: /s/ Ethan S. Cartwright
Ethan S. Cartwright, Staff Attorney
Bar No. 24068273
PAM BASSEL STANDING CHAPTER 13 TRUSTEE
Bar No. 01344800
860 Airport Freeway, Ste 150
Hurst, TX 76054
(817) 916-4710 Phone

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing was served on or before the date of filing. Service was accomplished electronically on Debtor's attorney and all parties entitled to electronic notice and by first class mail on the Debtor and the parties listed below, if any.

By: /s/ Ethan S. Cartwright
Ethan S. Cartwright

ALFREDO VARGAS
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